

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

MERIDEE ALBRECHT,

Plaintiff,

Vs.

RENTON COLLECTIONS INC.,

Defendant.

NO: 2:09-cv-01694-JCC

**ANSWER TO PLAINTIFF'S  
COMPLAINT**

COMES NOW the Defendant in the above entitled action and answers Plaintiff's complaint as follows:

I. NATURE OF THE ACTION

1. Defendant has insufficient knowledge with which to admit or deny the allegations contained in paragraph 1 and therefore denies same.

II. JURISDICTION

2. Denied.

**ANSWER- 1**

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2                   III. PARTIES  
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4     3. Defendant has insufficient knowledge with which to admit or deny the allegations  
5        contained in paragraph 3 and therefore denies same.  
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7     4. Defendant admits that Plaintiff is a consumer under the FDCPA definition. All other  
8        allegations in paragraph 4 are denied.  
9  
10    5. Admit.  
11  
12    6. Admit.

13                   IV. FACTUAL ALLEGATIONS  
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15     7. Defendant admits that it attempted to collect a duly assigned debt from the Plaintiff. Said  
16        collection activity complied with all applicable federal and state laws. All other  
17        allegations contained in paragraph 7, including subsections (a) through (d) are denied.  
18  
19     8. Denied.  
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21     9. Denied.

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23                   COUNT I: VIOLATION OF FAIR DEBT  
24                   COLLECTION PRACTICES ACT  
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26     10. Denied.

27                   COUNT II: VIOLATION OF WASHINTON COLLECTION AGENCY ACT  
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29     11. Denied.

30                   **ANSWER- 2**

31                   Retacco Law Offices Inc. P.S.  
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V. AFFIRMATIVE DEFENSES

- 1     1. Plaintiff fails to state a claim upon which relief may be granted.
- 2     2. Plaintiff has failed to mitigate its damages.
- 3     3. Insufficient service of process.
- 4     4. Lack of jurisdiction.
- 5     5. Defendant reserves the right to add additional defenses as discovery continues.

V. FIRST COUNTERCLAIM

- 6     6. Defendant RCI is a Washington corporation in good standing, has paid all fees and has satisfied all bonding and licensing requirements as a collection agency.
- 7     7. Plaintiff is a single woman residing in King County, Washington.
- 8     8. Plaintiff became indebted to Valley Orthopedic Associates for medical care, goods and services as follows:
  - 16     (a) \$614.08 on 6/2/2008. Defendant made a payment of \$50.00 and the principal balance of this debt is now \$564.08. Interest to date at 12% per annum is \$98.94;
  - 17     (b) \$98.00 on 6/9/2008. Interest to date at 12% per annum is \$15.78;
  - 18     (c) \$10.00 on 5/16/2008. Interest to date at 12% per annum is \$1.67.

ANSWER- 3

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1  
2 9. Payment for these services has been demanded without avail and the debts remain  
3 unpaid. Plaintiff does not deny the validity of the above entitled allegations in Sections  
4 8(a), (b), and (c) of this Counterclaim, by virtue of her own Factual Allegations in the  
5 Complaint Section IV, 7(b).

6 10. The claims of Valley Orthopedic Associates have been duly assigned to RCI for  
7 collection.

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10 VI. SECOND COUNTERCLAIM  
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13 11. Plaintiff's action is not well grounded in fact, is not warranted by existing law, is  
14 interposed for improper purposes such as harassment and to cause unnecessary delay and  
15 needless increase in the cost of litigation, and the factual contentions are not warranted on  
16 the evidence, nor are they based on reasonable belief.

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24 ANSWER- 4  
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1 PRAYER FOR RELIEF  
2  
3

4 WHEREFORE, having answered Plaintiff's complaint in full, Defendants pray as follows:  
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6

7 1. For Plaintiff's complaint to be dismissed with prejudice and that she be awarded nothing  
8 thereby;  
9 2. For judgment on the assigned debts against the Plaintiff for the principal balances plus  
10 interest as stated above for a total of \$788.47;  
11 3. For damages as the court deems just for the filing of a frivolous lawsuit;  
12 4. For all of defendant's costs and reasonable fees accrued; and,  
13 5. For any other relief that the Court deems just and proper.

14  
15 DATED this 14<sup>th</sup> day of January, 2010.

16 RETACCO LAW OFFICES INC. P.S.  
17  
18

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20 State Bar No. 30534  
21 Attorney for Defendants  
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ANSWER- 5

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